

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>GABRIEL PLUMMER ,</b>	:	<b>CIVIL ACTION NO. 1:11-CV-0296</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>TONY IANNUZZI, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 27th day of September, 2011, upon consideration of plaintiff's motion for appointment of counsel (Doc. 18), and it appearing that plaintiff is capable of properly and forcefully prosecuting his claims, that resolution of the pending motions to dismiss (Docs. 19-20) neither implicate complex legal or factual issues nor require factual investigation, and it further appearing that there is no need at this juncture for the testimony of expert witnesses as the motions involve plaintiff's failure to state a claim, failure to comply with the statute of limitations, and failure to exhaust the administrative review process, see Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993) (listing factors relevant to request for counsel) it is hereby ORDERED that:

1. Plaintiff's motion for appointment of counsel (Doc. 18) is DENIED. If further proceedings demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of plaintiff.

2. Plaintiff shall **FILE** briefs in response to defendants' motions to dismiss (Docs. 19-20) on or before October 11, 2011. Failure to timely file briefs in response will result in the motions being deemed unopposed. See L.R. 7.6.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge